

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RICHARD CLARK,	:	NO. 1:01-CV-00846
	:	
Plaintiff,	:	
	:	ORDER
v.	:	
	:	
	:	
HAMILTON COUNTY, et al.,	:	
	:	
Defendants.	:	

This matter is before the Court on Defendants' Motion for Summary Judgment (doc. 15), Plaintiff's Response and Motion Pursuant to Fed. R. Civ. P. 56(f) for a Continuance (doc. 18), and Defendants' Reply (doc. 22).

Plaintiff requests a brief continuance in order to depose Defendant Helen Kohn, as well as to complete paper discovery (doc. 18). Plaintiff argues that such discovery is necessary as the knowledge of Defendants that Plaintiff was at risk of substantial physical harm at the hands of inmate John Harris is a contested issue of material fact in this case (Id.). Defendants express no objection to a continuance, so long as the parties' proposed mediation is postponed until after the completion of discovery (doc. 22).

Having reviewed this matter, the Court finds Plaintiff's Motion well-taken. Under Fed. R. Civ. P. 56(f) the Court may order a continuance in order to allow the taking of depositions.

Accordingly, the Court GRANTS Plaintiff's Motion for a Continuance (doc. 18), VACATES the prior discovery cut-off of November 1, 2003 (doc. 13), and RESETS the discovery cut-off to December 1, 2003. The Court further ORDERS the Plaintiff to respond to Defendants' Motion for Summary Judgment (doc. 15) on or before December 15, 2003.

SO ORDERED.

Dated: November 4, 2003

/s/ S. Arthur Spiegel

S. Arthur Spiegel
United States Senior District Judge